



SAFETY Network

October 2007

www.michigan.gov/ohsp

Speed enforcement pilot projects occurring in three counties



Three counties—Alger, Clinton, and Ot-tawa—are part of a grant-funded speed enforcement pilot project to determine what effect enforcement has on reducing speed-related crashes.

The Michigan Office of Highway Safety Planning is providing federal funding for speed enforcement in these three counties. The Wayne State University–Transportation Research Group analyzed crash data to identify where speed-related crashes were occurring, and then examined high-crash locations to identify sites

at which speed enforcement would potentially be effective in reducing crashes.

According to crash data, more than 20 percent of the fatalities in Michigan are speed related. Speed-related crashes include speed too fast, speed too slow, and driving too fast for conditions. Fifty percent of drivers who died in speed-related crashes were not wearing safety belts.

The project's effectiveness will be determined by analyzing crash data following the enforcement effort.

MSP school bus inspectors ensure students ride safely

Each day, more than 810,000 students in Michigan ride the bus to school, traveling over 10 million miles annually. So how do parents know the big yellow vehicles their children are riding in are safe?

Because one of a dozen specially trained Michigan State Police (MSP) vehicle safety inspectors has thoroughly examined every inch of that bus, from the engine to the exhaust to the emergency exits, to ensure it is ready for the road.



Sergeant Sharron VanCampen conducts school bus inspection training with one of MSP's vehicle safety inspectors.

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Nominations for traffic safety awards sought



The Governor's Traffic Safety Advisory Commission (GTSAC) is seeking nominations for its 2007 Outstanding Contributions to Traffic Safety Awards.

The GTSAC annually honors organizations, programs, or individuals for outstanding contributions to traffic safety in Michigan. This is a chance to honor the best of Michigan's traffic safety community: people who are motivated to seek changes and improvement and who work effectively as an individual or as part of a team.

Individuals or organizations may be nominated by a person who is familiar with the activities for which the nominee is being considered. A person/organization may only be nominated in one category. No self nominations are allowed, however, a person may nominate a program, organization, or activity in which they are involved.

Nominees must be a Michigan resident or an organization located in the state. All entries must be post-marked on or before December 3, 2007. Entries will be judged by representatives of the GTSAC.

The GTSAC will present awards on March 13, 2008, at the Michigan Traffic Safety Summit in East Lansing.

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MSP SCHOOL BUS INSPECTORS CONTINUED from page 1 >

In preparation of National School Bus Safety Week, Oct. 22-26, each inspector received updated training and proficiency testing to ensure they are current on all equipment changes, legal amendments, and any new policies governing school bus safety.

Michigan school buses undergo a 198-point inspection, which is far more extensive than any other commercial vehicle in the state, according to Sgt. Sharron VanCampen of the MSP Traffic Safety Division.

"We have some of the most stringent inspection criteria in the nation," VanCampen said. "Each inspection takes between 40 and 45 minutes."

All school vehicles transporting pupils to or from school, or a school-related activity, must be inspected annually. During the 2006-2007 school year, 17,282 school buses were inspected. Results are available at www.michigan.gov/msp, click on Specialized Divisions, then Traffic Safety Division.

School buses are considered the safest form of transportation to school for children, according to the National Highway Traffic Safety Administration.

In 2006, Michigan school buses were involved in 926 crashes that resulted in 156 injuries and two fatalities, according to the MSP Criminal Justice Information Center. Both of the fatalities involved drivers or passengers of passenger vehicles, not students on the bus.

Traffic Safety Summit slated for March 11-13

The Michigan Traffic Safety Summit is March 11-13, 2008, at the Kellogg Hotel & Conference Center in East Lansing. More information regarding the Summit will be posted to www.michigan.gov/ohsp in the coming months.

OHSP launches Safe Communities program for new fiscal year

On October 1, 2007, the Office of Highway Safety Planning (OHSP) launched the Michigan Safe Communities name for its county-wide grant programs for 2008. Michigan Safe Communities is a concept that allows local communities to work with OHSP to develop more comprehensive strategies to prevent traffic crashes in their communities. Participants will have access to a national web-based resource warehouse that includes program support materials, tool kits, best practices, a national Safe Communities directory, useful downloads, and other information.

According to Michael L. Prince, OHSP director, "While support of the national drunk driving and safety belt campaigns will continue to be components of the Safe Communities grants, we will allow projects to address other issues as well based on a localized crash analysis profile. Eventually, these grants have the potential of addressing a wide range of traffic safety issues."

As part of each Safe Communities project, OHSP staff will assist with the identification of the most critical traffic safety

issues confronting each participating county as well as economic costs and savings that can be realized through effective programming. By creating or expanding current local traffic safety coalitions, these communities will have the opportunity to engage other local partners and agencies from the public and private sector to assist in the project and identify resource needs. Some of these needs will be addressed by OHSP, while others may be

more appropriate for other funding sources.

The Safe Communities programs have been assigned a Regional Coordinator from OHSP based on regional assignments of program staff. (See map showing our regional structure and the designated OHSP

contact on page 3).

According to Prince, "We are excited about these proposed changes and feel they will provide our Safe Communities Programs with greater flexibility and latitude to address current and emerging traffic safety issues, engage new partners, and ultimately more effectively reduce traffic crash fatalities and injuries in their local communities."



Two video documentaries promote successful programs

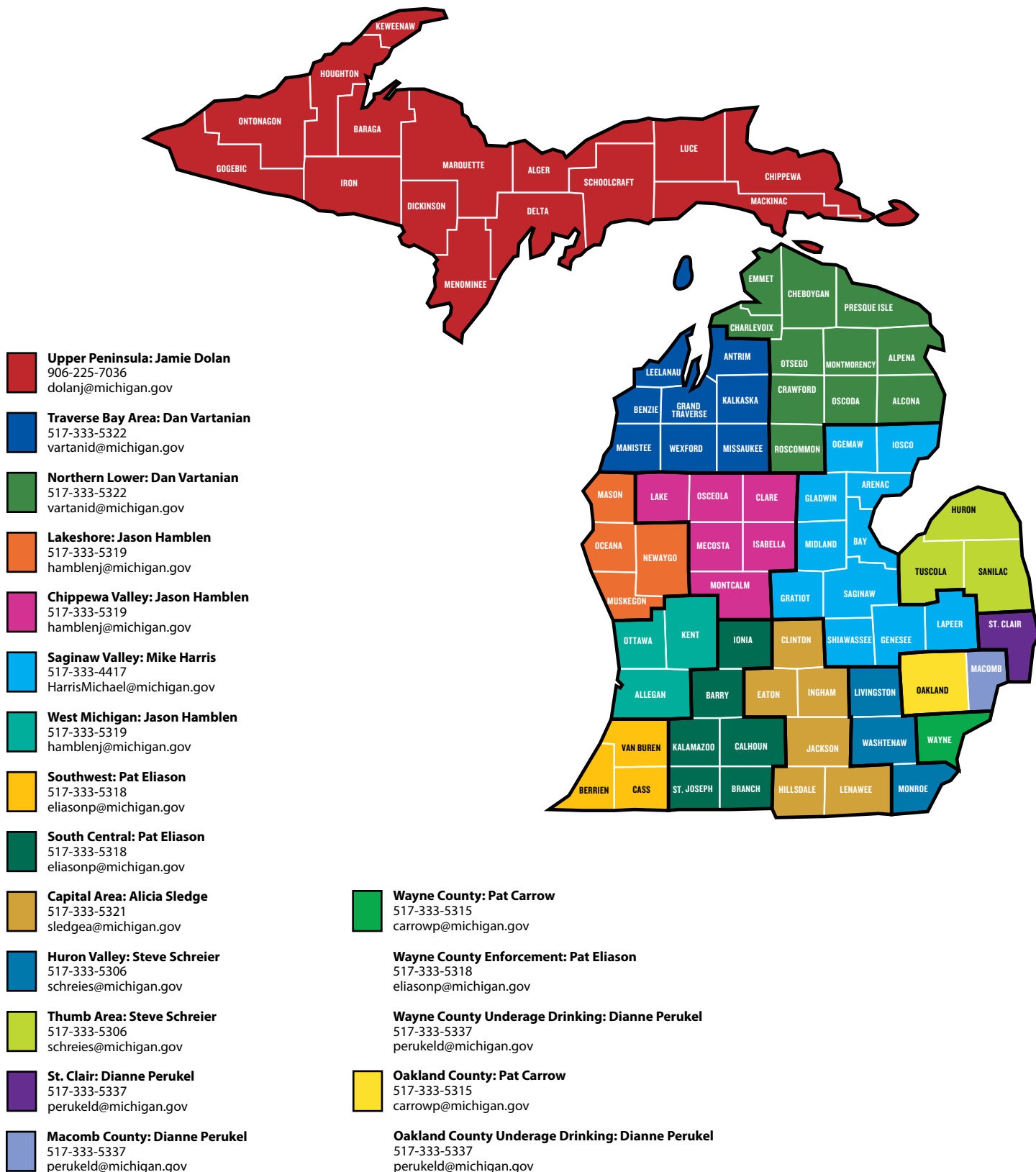
The Office of Highway Safety Planning recently completed two video documentaries about DUI courts and Michigan's first Fatal Alcohol Crash Team in Genesee County. These videos will provide other law enforcement agencies and judicial partners with guides on how to replicate similar programs in their areas.

These videos will be distributed to courts, prosecutors, and law enforcement

throughout the year to encourage replication of these programs. In addition, other activities, such as presentations about these projects at conferences, will be utilized to promote these programs.

For more information about these programs, contact Jason Hamblen at (517) 333-5319.

Regional Coordinators



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Michigan Legislature votes in favor of 'opt-out' option for state's helmet law

As of late October, it appears likely that legislation enabling motorcyclists to ride without their helmets on Michigan roads is headed to the Governor's office. The legislation offers motorcyclists the option to opt-out of wearing a helmet if they pay either a \$100 annual fee or a fee of \$200 for three years.

House Bill 4749, which was passed by the State House on October 11 and Senate on October 18, would also require riders to be 21 years or older, licensed to operate a motorcycle for at least two years, complete a motorcycle safety course, and have insurance or security of \$20,000 for first-party medical benefits in the event of a crash.

According to AAA Michigan, motorcycle crashes account for a disproportionate share of money paid out of the Michigan Catastrophic Claims Association (MCCA), a fund which is supported by a surcharge on every auto insurance policy in this state. Although motorcyclists represent 1.7 percent of the assessments paid into the MCCA, they account for 6.7 percent of all claims reported.

The Michigan Department of State Police (MSP) opposes the legislation because although the bill restricts who can ride without a helmet, enforcing the restriction would be impractical, in effect, eliminating Michigan's helmet requirement altogether.

According to MSP, short of stopping every motorcyclist not wearing a helmet, a police officer would have no way to know whether the motorcyclist met the age, experience, and insurance criteria to ride without a helmet. Even when a motorcyclist is stopped, verifying the insurance requirements of the bill would be difficult.

While helmet usage is at or near 100 percent in states that have mandatory helmet laws, it is typically at about 50



Michigan State Police Motor Carrier officers have a new inspection facility near the Ambassador Bridge in Detroit.

Busiest border crossing gets inspection facility

Michigan State Police Motor Carrier officers working border enforcement at the Ambassador Bridge in Detroit are finally off the streets. A Federal Motor Carrier Safety Administration grant has allowed motor carrier officers to conduct inspections in a building located on Fort Street, only two blocks south of the Ambassador Bridge.

The Michigan State Police is leasing approximately 5,000 square feet of space in what was formerly the transit bus maintenance facility for the city of Detroit. Before acquiring this building, officers had to conduct inspections in the middle of Fort Street, a very busy and congested city street. Not only did this present a safety hazard for the officer, the trucker, and the general motoring public, but it limited the officers' ability to conduct inspections during periods of heavy ice and snow.

The new facility will also allow inspections to be done 365 days a year, regardless of the weather. In the first month of operation, officers conducted 606 inspections at this facility.

What makes this facility even more convenient is that every truck entering the United States from Canada via the bridge must drive past the inspection building after clearing customs. Trucks selected for inspection are simply directed into the building, without a need to turn the truck around or escort it to a remote location. This provides efficiencies for both enforcement and industry.

The Ambassador Bridge is the busiest international border crossing for commercial vehicles in North America with an average of 8,000 trucks crossing the bridge daily. There are currently ten motor carrier officers assigned to work border enforcement at this location.

percent in states without a universal helmet requirement. The Michigan Office of Highway Safety Planning estimates that if Michigan's helmet law were to be repealed, the state should expect to see an annual increase of at least 30 fatalities, 127 incapacitating injuries, and \$129 million in economic costs.

The National Highway Traffic Safety

Administration estimates that helmets reduce the risk of incapacitating injury by 40 percent and the risk of death by 37 percent.

The bill now returns to the House for approval of amendments made by the Senate and then to the Governor, who vetoed a bill to repeal the state's helmet law last year.

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Crash Facts Website offers customized crash data

The Michigan Office of Highway Safety Planning, in conjunction with the University of Michigan Transportation Research Institute, produces Michigan Traffic Crash Facts annually and releases this information online at www.michigantrafficcrashfacts.org.

This Website provides comprehensive historical and current traffic crash data where users can find statewide, county, and city data from 1992 to 2006. The site also features query and mapping tools to customize information based on user input. Multiple search options are available, including Google.

Available Data:

- >> Traffic crash data by county/city
- >> Special focus sections on alcohol, deer, drivers, vehicles, and more
- >> One-page fact sheets on motorcycles, trucks, young drivers, older drivers, alcohol, and more
- >> Custom search option that creates tables with information specific to a user's location or problem area (i.e., Ingham County fatal crashes involving alcohol)
- >> Mapping feature that plots a crash or group of crashes

Suggested Uses:

- >> Get an in-depth, overall picture of traffic safety in Michigan
- >> Identify traffic safety problems in a county or community
- >> Locate and map a specific crash or series of crashes
- >> Create traffic data presentations for local officials

For more information, contact the Michigan Office of Highway Safety Planning Traffic Records Programs Unit at (517) 333-5306.

Example of a query of available information at www.Michigancrashfacts.org

Create a table showing drivers age 16-21 involved in crashes in Flint in 2006 and the associated restraint (safety belt/child restraint) use of each driver.

Steps

1. Click on link "Data Query Tool" and a new window will open displaying the tool
2. Set the "Year" to 2006 and the "Analysis Level" to VEHICLE/UNIT
3. Set "Variable 1" to DRIVER AGE
4. Set "Variable 2" to DRIVER RESTRAINT
5. Set "Geographic Filter" to CITY, then County=GENESEE and City=FLINT
6. Set "Other Filters" to DRIVER AGE and click the ADD FILTER button
7. While holding the ALT key, click on 16 YEARS OLD and scroll down to 21 YEARS OLD (16-21 should now be highlighted)
8. Scroll to the bottom of the page and click on the "Create Table" link. The system will process the request and open a new window with the results

Got a question? Need more information about a specific data query? Ask the experts at TDC-UMTRI@umich.edu.



MICHIGAN
OHSP
Office of Highway Safety Planning

Michigan Traffic Crash Facts

Data Query Tool

[MTCF Home](#)
[New Query](#)
[Refine Query](#)
[Save Table](#)
[Download Table](#)
[Help](#)
[Examples](#)
[Contact](#)

DRIVER AGE x DRIVER RESTRAINT analysis of 2006 vehicles/units in the municipality of Flint(Genesee County) filtered by DRIVER AGE (16 years old, 17 years old, 18 years old, 19 years old, 20 years old, 21 years old)

2006		DRIVER AGE						Total Vehicles/Units
		16 years old	17 years old	18 years old	19 years old	20 years old	21 years old	
DRIVER RESTRAINT	No belts available	2	1	2	3	1	3	12
	Shoulder belt only used	0	0	1	0	0	0	1
	Lap belt only used	0	1	0	0	0	0	1
	Both lap & shoulder belt used	72	87	145	172	140	128	744
	No belts used	1	2	4	5	0	5	17
	Child restraint used	0	0	0	0	0	1	1
	Child restraint not used, unavailable or improper use	0	0	1	0	0	0	1
	Restraint failure	0	0	0	0	0	0	0
	Restraint use unknown	7	10	6	10	23	19	75
	Helmet worn	1	0	0	1	0	0	2
	Helmet not worn	0	1	2	0	0	0	3
	Helmet use unknown	0	0	0	0	0	0	0
	Uncoded & errors	2	1	3	4	1	3	14
Total Vehicles/Units		85	103	164	195	165	159	871

Construct another query or download a data file of the results. You can also [save this table](#) for later viewing or [see cases matching these filters on a map](#).

PLEASE NOTE: The user is responsible for the accuracy of any report or opinion based on the use of these data tables and maps.

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More Americans buckle up and wear their helmets in 2007

A new focus on motorcycle safety and increased efforts to encourage seat belt use are paying off, according to U.S. Transportation Secretary Mary E. Peters, who recently released figures showing the national seat belt use rate increased to an all-time high and more motorists are wearing their helmets.

According to the annual National Occupant Protection Use Survey (NOPUS), an additional three million more Americans wore seat belts last year as seat belt use rose to 82.4 percent, an increase of 1.2 percentage points. Additionally, the

survey results also showed that motorcycle helmet use increased 7 percentage points to 58 percent.

The survey shows seat belt use in the Northeast rose 4 percentage points, to 78 percent, in the Midwest it rose 2 percentage points to 79 percent, and in the West it stood at 93 percent. However, in the South, belt use dropped 3 percentage points to 80 percent.

The new data shows the greatest rise in motorcycle helmet use occurred in the South, which rose by 13 percentage points to 58 percent. Helmet use rose by

11 percentage points in the Northeast to 58 percent and by 5 percentage points in the West to 77 percent. However, helmet use fell by 1 percentage point in the Midwest to 49 percent.

DOT announced in July that 42,642 people died on the nation's highways in 2006, which was the largest drop in fatalities in 15 years. The nation also saw the lowest highway fatality rate ever recorded of 1.42 per 100 million vehicle miles traveled.

Wake Up Michigan! attendees get wake up call about dangers of drowsy driving

About 150 participants learned about the importance of sleep and the dangers of drowsy driving at the Wake Up Michigan! Symposium on September 20 in Grand Rapids.

The conference was targeted toward employers, law enforcement, engineers, and commercial motor vehicle fleets, and focused on sleep disorders, engineering solutions such as rumble strips, automotive technology, laws and enforcement,

and workplace policies.

Speakers included Darrel Droblich, chief program officer for policy, education, and research for the National Sleep Foundation; Robert Dufour, Ph.D., human factors engineer in the Advanced Driver Support Systems Department at Delphi Electronics & Safety; and Bryan Vila, Ph.D., professor of criminal justice at Washington State University.



Greg Thompson, technical sales director for Active Safety at Autoliv Electronics America, speaks during the Wake Up Michigan Symposium.

What's Ahead

DECEMBER

National Drunk & Drugged Driving (3D) Prevention Month
www.stopimpaireddriving.org

15-31 Drunk Driving. Over the Limit. Under Arrest. Crackdown
www.stopimpaireddriving.org

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Free UD-10 trainings offered for officers and supervisors

Traffic crash data derived from the accurate completion of the Michigan UD-10 Traffic Crash Report Form is one of the most important contributions that police officers in Michigan make to improving traffic safety on our roadways. It is through this information that we are able to not only determine the many variables involved in a crash, but we are able to analyze this information to determine what countermeasures to put in place, either through changes to the roadway design, modifications to vehicle safety technology, or programs to change driver behavior.

Despite the critical nature of the information contained on the UD-10 forms, thousands of reports are submitted each year containing errors which require manual processing of an automated form. In fact, there are approximately two errors on all submitted crash forms.

In an effort to address this problem, the OHSP, in partnership with the Michigan State

Police, Criminal Justice Information Center are offering a series of UD-10 refresher training courses for Secondary Road Patrol deputies and their supervisors. The "Officer Refresher" training is designed for anyone who completes the UD-10 form and will provide deputies an overview of the most common errors when completing the UD-10 crash report form and how to complete more accurate error-free reports.

The "Supervisor Refresher" training is designed primarily for personnel who review/approve UD-10 forms. The supervisor course also includes valuable hands-on instruction in the use of computer applications related to UD-10 crash data and using this information to identify and address crash problems in your county.

The following is information provided through the trainings:

- >> Field by field overview of the UD-10
- >> Proper completion of the Truck/Bus section

- >> Life cycle of the UD-10 and the importance of good data collection
- >> Review how incorrect data captured can affect the future of traffic safety
- >> Traffic Crash Purchasing System (TCPS)—a web site developed for involved parties to purchase crash forms
- >> Traffic Crash Reporting System (TCRS)—a web site that provides accurate and timely crash statistics and UD-10 images to law enforcement
- >> Electronic crash data submission—a look at the benefits of electronic vendors. It is faster, more efficient and will increase your revenue share from TCPS.

Space is limited by the capacity of the hosting site, so please sign up early. All classes begin at 9 a.m. To attend any of these sessions, please contact Sgt. Melinda Logan by email at LoganMJ@michigan.gov or at (517) 322-5923.

Date	Hosting Agency	Location
November 6	Washtenaw County Intermediate School District	Washtenaw County Intermediate School District- SUPERVISOR REFRESHER 1819 S. Wagner, Ann Arbor, Michigan 48103
November 13	Schoolcraft College (Garden City Campus)	Schoolcraft College (Garden City Campus)- SUPERVISOR REFRESHER 1751 Radcliff, Garden City, Michigan 48135
November 27	Grand Rapids Community College	Grand Rapids Community College— SUPERVISOR REFRESHER 143 Bostwick NE, Grand Rapids, Michigan 49503
December 5	Macomb Community College	Macomb Community College—MCJTC SUPERVISOR REFRESHER 21901 Dunham Rd., Clinton Twp, Michigan 48036
December 11	Lake Michigan College	Lake Michigan College—MTEC SUPERVISOR REFRESHER 400 Klock Rd., Benton Harbor, Michigan 49022
December 12	Macomb Community College	Macomb Community College—MCJTC SUPERVISOR REFRESHER 21901 Dunham Rd., Clinton Twp, Michigan 48036
December 17	Kent County Sheriff Department	Kent County Sheriff Department— OFFICER REFRESHER 701 Ball Ave. NE, Grand Rapids, Michigan 49503
January 15, 2008	Michigan State Police, CJIC	MSP Training Academy— SUPERVISOR REFRESHER 7426 N. Canal Road, Lansing, Michigan 48913
January 16, 2008	St. Joseph City Commission	St. Joseph City Commission Room— OFFICER REFRESHER St. Joseph
January 23, 2008	Macomb Community College	Macomb Community College—MCJTC OFFICER REFRESHER 21901 Dunham Rd., Clinton Twp, Michigan 48036
January 30, 2008	Macomb Community College	Macomb Community College—MCJTC OFFICER REFRESHER 21901 Dunham Rd., Clinton Twp, Michigan 48036

SAFETY Network

Pilot project to increase speed, accuracy of crash data

Nine Michigan law enforcement agencies will be taking part in a pilot project to electronically submit crash report information to the Michigan State Police, Criminal Justice Information Center (CJIC).

CJIC is responsible for maintaining the state central repository for crash records and receives more than 300,000 crash reports (UD-10) from over 600 Michigan law enforcement agencies each year.

The electronic data capture project, funded through the Michigan Office of Highway Safety Planning, is meant to improve data quality, timeliness, consistency, and completeness of the state's crash information.

The grant will fund the hardware and software agencies need to electronically submit UD-10s, as well as train officers on how to use the equipment. Agencies participating in the pilot project include: Albion Police Department, Bay County Sheriff's Office, Cadillac Police Department, Norton Shores Police Department, Oceana County Sheriff's Office, Sanilac County Sheriff's Office, Van Buren County Sheriff's Office, Western Michigan University Department of Public Safety, and Wyoming Police Department.

Over 1,000 drunk driving arrests made during statewide crackdown



More than 1,500 motorists found themselves over the limit and under arrest during a statewide drunk driving crackdown that concluded on Labor Day. Michigan law enforcement officers arrested 1,002 motorists for drunk driving and another 513 for other alcohol-related offenses during the Drunk Driving, Over the Limit, Under Arrest. campaign.

More than 500 local police agencies, county sheriff's offices and Michigan State Police posts across the state focused on drunk driving from Aug. 17 – Sept. 3.

At least 45 agencies in 28 counties utilized federal funding for warrant sweeps

where officers sought out individuals who have failed to appear in court on previous alcohol-related charges. The sweeps resulted in 262 arrests on outstanding warrants, 77 of those for alcohol-related offenses.

According to the agencies reporting statistics to OHSP, 34,669 vehicles were stopped. In addition to the alcohol arrests, there were 390 felony and 2,170 misdemeanor arrests. Officers also wrote 9,582 speeding citations and issued 1,325 safety belt citations and 46 child restraint citations.

Preliminary results show there were eight traffic fatalities in Michigan over the Labor Day holiday weekend, two of which involved alcohol, according to the Michigan State Police, Criminal Justice Information Center.

Drunk drivers should fear law enforcement this Halloween

Fifty law enforcement agencies in thirteen counties will try to scare drunk drivers sober this Halloween. Additional officers will be on the road from Oct. 26 to Nov. 3 throughout Michigan specifically to stop and arrest partygoers who drink too much before getting behind the wheel. The overtime funding comes from federal traffic safety funds administered by the Office of Highway Safety Planning (OHSP).

OHSP ALSO OFFERS THESE TIPS FOR A SAFER HALLOWEEN WEEKEND:

- >> Don't get behind the wheel if you've been drinking
- >> Take the keys and never let a friend drive while drunk
- >> If impaired, call a taxi, use mass transit or call a sober friend to get you
- >> Stay where you are and sleep it off until you are sober
- >> If you're hosting a party, make sure all your guests leave with a sober driver

2007 Traffic Safety Materials, NETS catalogs now available

The Michigan Office of Highway Safety Planning has recently published two new catalogs of materials to help groups, organizations, and businesses promote traffic safety.

The 2007 Traffic Safety Materials Catalog contains free brochures, flyers and posters about various traffic safety issues from child passenger safety to drunk driving to safety belts. Information about materials is also available at www.michigan.gov/ohsp, click on Traffic Safety Materials.

In addition, OHSP has published a directory of materials for businesses to use in their corporate traffic safety programs. The catalog contains listing of items available from both the National and Michigan Network of Employers for Traffic Safety and the National Highway Traffic Safety Administration, as well as ordering information.

SAFETY Network

THE PAAM CORNER

MIPs and PBTs – Can they mix?

Katie Platte, et al v. Thomas Township, et al (#05-10200, US District Court, Eastern District of Mich., Southern Division) was decided on September 26, 2007, by U.S. District Court Judge David Lawson. He ruled that the state statute police officers previously relied upon to compel PBT tests on minors suspected of having unlawfully consumed alcohol (MCL 436.1703(6)) was unconstitutional on its face. Further, the opinion specifically stated the Governor of the State of Michigan, the Michigan State Police, Thomas Township, "their servants, agents and employees, and those in active concert and participation with them, are RESTRAINED AND ENJOINED from enforcing or imposing sanctions under MCL 436.1703(6)..."

While the court did not enjoin all law enforcement agencies, the practical impact of this ruling, as it presently stands, is that police officers may not rely on any authority granted them through the enactment of MCL 436.1703(6). Bottom line, police officers should not request a minor to submit to a PBT unless they have previously secured a search warrant for the test or alternatively, have obtained a valid and documented consent from the minor to be tested.

At this point, there has been no decision by the Attorney General's office on whether or not to appeal the decision of the Federal Court, nor has a stay been requested. Therefore at this point, the ruling stands. The statute is unconstitutional and law enforcement officers can not compel a minor to take a PBT.

Law enforcement officers will have to do an investigation using the tools they learned before technology:

- >> What is in their hands?
- >> How do their eyes look?
- >> What do they smell like?
- >> How do they speak?
- >> How do they act?
- >> Are there beer bottles around the person?
- >> What evidence is there that the minor has been drinking?

It is these kinds of questions that an officer should ask. MIP charges are not dead and buried, just the use of the PBT is – when trying to compel a test. Of course, in the appropriate situation, an officer can always get a search warrant for the person's blood. Additionally, another tool that some law enforcement officers have is the Passive Alcohol Sensor (P.A.S.) flashlight. This is a flashlight that has at the other end a sensor for alcohol. The P.A.S. is used to check for the presence or absence of alcohol with or without a subject's direct participation. When used without the subject's direct participation it is known as passive sampling, as opposed to active testing where the subject blows directly into a mouthpiece. While it does not give a BAC reading, it provides an indication of drinking and may be very useful in these cases – now that there are issues with the PBT. And since it is taking the air around the person, there should be no issues under the 4th amendment.

What is important to remember is that MIP cases are not the "minor" of-fenses as Judge Lawson stated. These cases are important tools in indicating future alcoholism. Alcohol can damage

a child's brain, causing long term damage as the brain is not fully developed. And the obvious concern, minors drink and then drive – and then all too often, they die. Being proactive in these cases can help the community in the long run and save lives right now. While we can no longer compel a PBT to be given to a minor, this does not mean that these cases shouldn't be enforced and prosecuted.

CHANGE IN ADMINISTRATIVE RULES

Speaking of PBTs, on September 18, 2007, the administrative rules for the DataMaster and PBTs were changed once more. This particular rule change now allows for a simulator test to be done with a "compressed alcohol gas device" – or in other words a canister that contains alcohol. If using this canister, an officer will not have to mix the solution; it will come in a canister that will be attached to the PBT and then a sample taken. This will make it quicker and easier to calibrate a PBT every month as required by the rules.

For further information on these changes and PAAM training programs, contact David Wallace, traffic safety training attorney, at (517) 334-6060 or via e-mail at wallaced@michigan.gov.

Consult your prosecutor before adopting practices suggested by reports in this article.



SAFETY Network

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